

# LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

**for August 3, 2004 PLANNING COMMISSION MEETING**

**PROJECT #:** Pre-Existing Special Permit # 28A

**PROPOSAL:** Expand the Union College permit to include newly acquired property.

**LOCATION:** South 52<sup>nd</sup> and Stockwell Streets

**LAND AREA:** 53,660 square feet, or 1.23 acres, more or less, to be added.

**CONCLUSION:** This amendment to the Union College pre-existing special permit conforms to the Comprehensive Plan and Zoning Ordinance provided minor revisions to the plans are completed.

<b>RECOMMENDATION:</b>	Conditional Approval
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Area to be added:

Lots 1-6, Block 15, College View Addition, and vacated Stockwell Street from the west line, extended, of the vacated north/south alley in Blocks 14 & 15, College View Addition, to the west line of S. 52<sup>nd</sup> Street, located in the SE 1/4 of Section 5 T9N R7E, Lancaster County, Nebraska.

See attached legal description for entire area of permit.

**EXISTING LAND USE AND ZONING:**

Single-family homes, parking lot R-4 Residential

**SURROUNDING LAND USE AND ZONING:**

North:	Union College	R-6 Residential
South:	Union College	R-6 Residential
East:	Single-family homes	R-4 Residential
West:	Union College	R-6 Residential

**ASSOCIATED APPLICATIONS:** Street/Alley Vacation #05007

## HISTORY:

Aug 2004 Administrative Amendment #04036 to Pre-Existing Special Permit #28 approved the addition of a parking lot.

- Jul 2004      Waiver #04008 approved a waiver to the surfacing requirements for a newly added parking lot.
- Aug 2002      Administrative Amendment #02058 to Pre-Existing Special Permit #28 approved the revision of a building envelope boundary.
- May 2002      Administrative Amendment #02036 to Pre-Existing Special Permit #28 approved a revised parking lot and two new building envelope boundaries.
- May 1979      The zoning update changed the zoning on the Union College campus from B Two-Family and D Multiple-Family to R-4 Residential and R-6 Residential.
- May 1978      Special Permit #814 approved a health education facility (the Health Science Complex) on the Union College campus.
- Pre-1978      Various street and alley rights-of-way within the Union College campus were vacated.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Land Use Plan identifies the Union College campus area as Public and Semi-Public. (F 25)

**ANALYSIS:**

1. This is a request to expand a pre-existing special permit for Union College. This application is related to the College's recently completed master planning process.
2. Applicant intends to add several recently acquired parcels to the campus. These parcels will provide a site for future on-campus student housing.
3. Lincoln's pre-existing special permit was adopted with the 1979 zoning update. The process provides a way of recognizing uses that were lawfully established prior to the update, but which required a special permit after the update. These uses are deemed to have received a special permit in conformance with zoning ordinance requirements, and may be amended in conformance with the original use.
4. This amendment proposes a use typically found on a college campus, i.e. student housing.
5. The area being added contains two houses and a parking lot. The two homes are designated for removal and replacement with up to 36 units of multiple-family dwellings. The parking lot has been constructed on Stockwell Street right-of-way, which is requested for vacation in the associated application (SAV.05007).

6. The site plan for these units will be approved by future administrative amendments as plans are finalized. Future administrative amendments shall comply with all zoning requirements and design standards, such as parking and landscaping.
7. The existing boundary of this permit includes the Health Science Complex, which was approved prior to the issuance of the pre-existing special permit. Maintaining two permits on the same property for the same use should be avoided. Special Permit 814 will be superceded by this permit.

**CONDITIONS OF APPROVAL:**

Site Specific:

1. This approval permits the expansion of the Union College Pre-Existing Special Permit #28, including a parking lot and 36 multiple-family dwelling units for student housing, and voids and supercedes Special Permit #814.

General:

2. Before receiving building permits:
  - 2.1 The permittee shall complete the following instructions and submit six (6) copies of the documents and plans to the Planning Department office for review and approval.
    - 2.1.1 Revise the Legal Description to 1) remove "East/West Alley in Block 1," or provide documentation showing this alley has been vacated, 2) add "vacated north/south alley in Block 15," 3) revise the description of vacated Stockwell Street as follows: "vacated Stockwell Street from South 51<sup>st</sup> Street to the west line of the north/south alley in Block 15; to be vacated Stockwell Street from the west line of the north/south alley in Block 15 to South 52<sup>nd</sup> Street."
    - 2.1.2 Revise the Legal Description of Amendment to include vacated Stockwell Street from the west line, extended, of the vacated north/south alley in Blocks 14 & 15, College View Addition, to the west line of S. 52<sup>nd</sup> Street.
  - 2.2 The construction plans comply with the approved plans.
  - 2.3 Street/Alley Vacation #05007 must be approved.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:
  - 3.1 Before occupying the dwelling units, all development and construction is to comply with the approved plans.
  - 3.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 3.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 3.4 The City Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.
  - 3.5 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.
4. Special Permit #814 is voided and superceded with the approval of this permit.

Prepared by

Greg Czaplewski, 441-7620, gczaplewski@lincoln.ne.gov  
Planner

**Date:** July 21, 2005

**Applicant and Contact:** Brian Carstens  
Brian Carstens and Associates  
601 Old Cheney Road, Suite C  
Lincoln, NE 68512

**Owner:** Union College  
3800 South 48<sup>th</sup> Street  
Lincoln, NE 68506



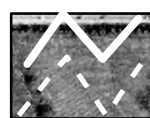
2005 aerial

## Pre-Existing Special Permit #28A S. 48th & Stockwell

### Zoning:

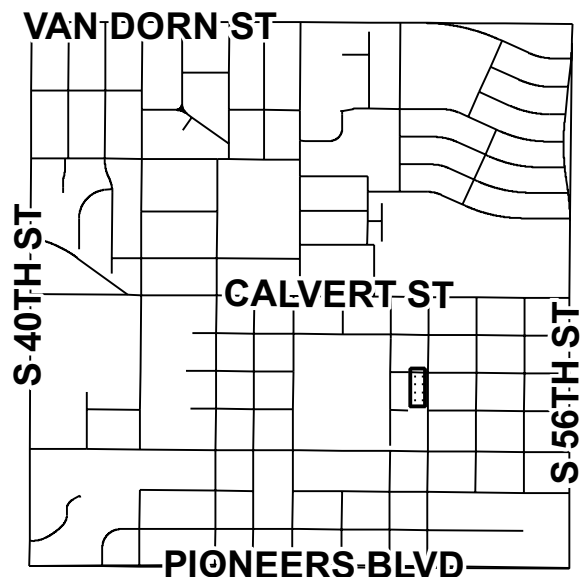
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 5 T9N R7E



Zoning Jurisdiction Lines

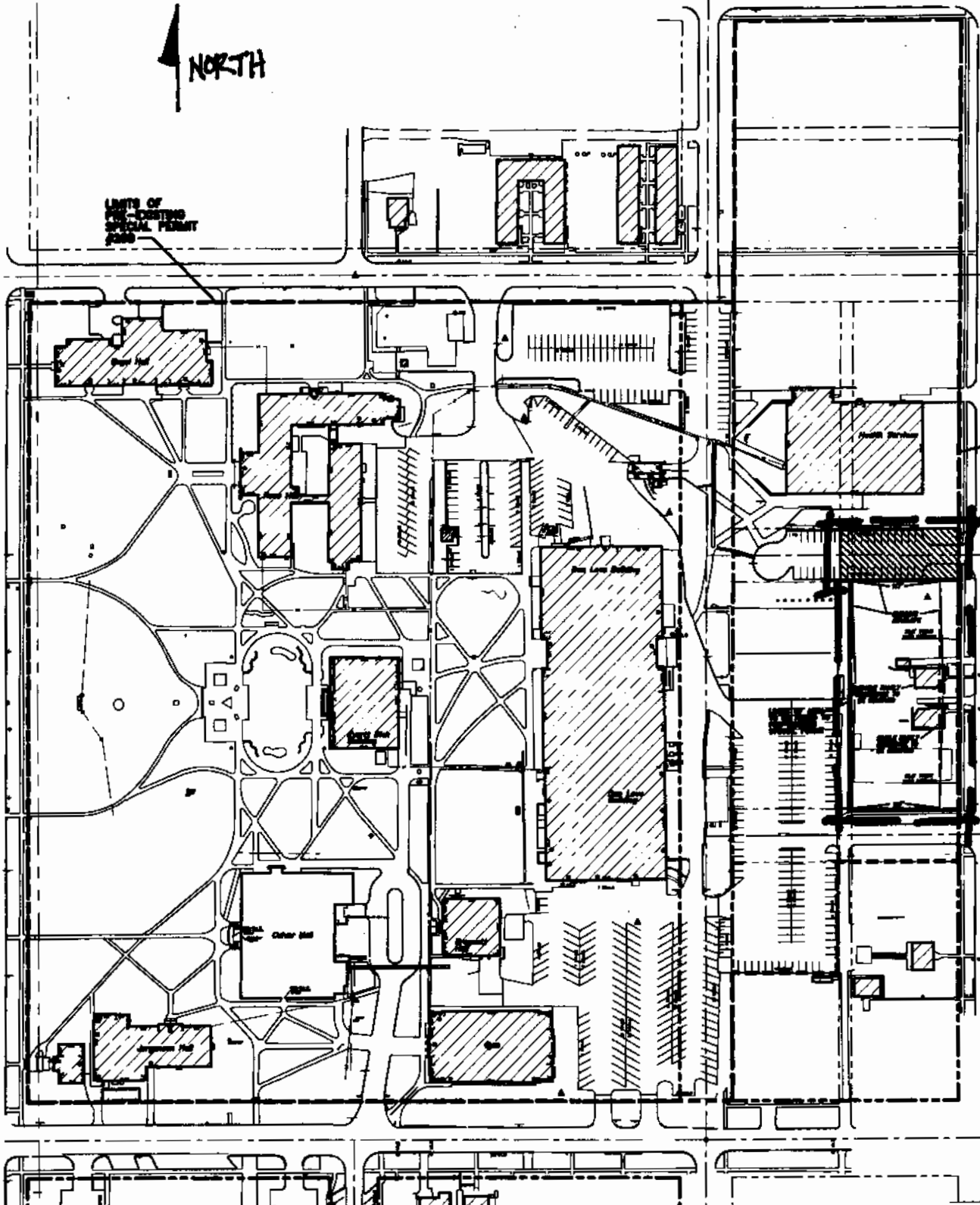
City Limit Jurisdiction



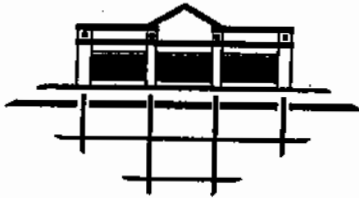
NORTH

LIMITS OF  
EXISTING  
SPECIAL PERMIT  
ZONE

LIMITS OF  
EXISTING  
SPECIAL PERMIT  
ZONE



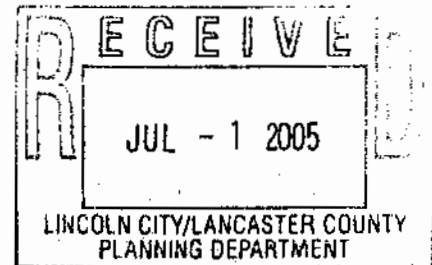




**BRIAN D. CARSTENS AND ASSOCIATES**  
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN  
801 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

July 1, 2005

Mr. Marvin Krout, AICP  
Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508



RE: UNION COLLEGE – PRE-EXISTING SPECIAL PERMIT #28B

Dear Marvin,

On behalf of Union College, we submit the following project for your review. Union College has been acquiring additional properties adjacent to their existing campus for quite some time. They have now assembled the property on the west side of South 52nd Street, from the vacated Cooper Avenue, to Stockwell Street.

Union College wants to expand their student housing by building additional living units in this area of the amendment. Therefore, we need to include these parcels within the limits of the Pre- Existing Special Permit.

We have also recently discovered that Stockwell Street had not been vacated from the west line of South 52<sup>nd</sup> Street as previously thought. A parking lot was constructed in this area, and is actually on City of Lincoln right of way. Therefore we are submitting a petition to vacate the right of way in question.

Please feel free to contact me if you have any further questions.

Sincerely,

Brian D. Carstens

Cc: Union College

Enclosures: 24 copies of sheet 1 of 1  
Application for an Amendment to a Pre-Existing Special Permit  
Certificate of Ownership  
Application for a Street and Alley Vacation  
8-1/2" x 11" reductions of the plans

## **LEGAL DESCRIPTION**

All of Union College Campus Irregular Tract; Lots 1 through 12, Block 1, College View Addition; East/West Alley in Block 1; vacated Bancroft Avenue from South 51st Street to South 52nd Street; Lots 1 through 12, Block 14, College View Addition; vacated north/south alley in Block 14; Lots 1 through 12, Block 15, College View Addition; vacated Stockwell Street from South 51st Street to the west line of the north/south alley in Block 15; to be vacated Stockwell Street from the west line of the north/south alley in Block 15 to South 52nd Street; vacated Cooper Avenue from South 51st Street to South 52nd Street; Lots 10 through 12, Block 28, College View Addition; vacated South 51st Street from Bancroft Avenue to Prescott Avenue; all located in Section 5, Township 9 North, Range 7 East of the Sixth Principal Meridian, City of Lincoln, Lancaster County, Nebraska.

## **LEGAL DESCRIPTION of AMENDMENT**

Lots 1 through 6, Block 15, College View Addition, located in the Section 5, Township 9 North, Range 7 East of the Sixth Principal Meridian, City of Lincoln, Lancaster County, Nebraska.